IN THE DISTRICT COURT OF THE UNITED STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CRIMINAL NO. 1:04CR74-5

UNITED STATES OF AMERICA)	
VS.)	ORDER
STEPHEN DALE McCLELLAN)))	

THIS MATTER is before the Court on the Defendant's motion to attend the funerals of his mother-in-law and sister scheduled for Wednesday, August 10, 2005.

The Defendant is being detained at the McDowell County Jail in Marion, North Carolina, awaiting sentencing. The Defendant's mother-in-law and sister died unexpectedly over the previous weekend and their funeral services are scheduled for Wednesday, August 10, 2005, at 11:00 a.m. for the mother-in-law and 2:00 p.m. for the sister at the Grindstaff Memorial Chapel of Webb Funeral Home in Spruce Pine, North Carolina. The Court notes the relative close proximity of the detention facility and the funeral home and finds that such short distance should minimize any difficulties in complying with the Defendant's request.

IT IS, THEREFORE, ORDERED that the Defendant's motion is ALLOWED, and the United States Marshal is directed to make immediate arrangements to provide the Defendant an opportunity to privately view or attend the funeral services of his relatives as is consistent with current regulations of the United States Marshals Service.

The Clerk of Court is directed to provide copies of this Order by facsimile transmission to the United States Marshal, the United States Attorney, and defense counsel.

Signed: August 9, 2005

Lacy H. Thornburg United States District Judge